



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Tentative Notice of Action

*Promoting the wise use of land
Helping build great communities*

MEETING DATE November 4, 2005 LOCAL EFFECTIVE DATE November 18, 2005 APPROX FINAL EFFECTIVE DATE December 9, 2005	CONTACT/PHONE Martha Neder, AICP, Planner (805) 781-4576	APPLICANT Diane Norton	FILE NO. DRC2005-00050
SUBJECT Request by Diane Norton for a Minor Use Permit/Coastal Development Permit to allow the construction of an 650 square foot addition to a single family residence and the construction of a 320 square foot detached guesthouse. The construction of the project would result in a site total of 1,563 square feet of footprint, 1,833 square feet of gross structural area, and require 291 square feet of TDCs. The project will result in the disturbance of approximately 600 square feet of 5,560 square foot parcel. The proposed project is within the Residential Single Family land use category and is located at 2705 Wilton Drive, Lodge Hill, in the community of Cambria. The site is in the North Coast planning area.			
RECOMMENDED ACTION Approve Minor Use Permit/Coastal Development Permit DRC2005-00050 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION Class 1 and 3 Categorical Exemptions were issued for the project on October 4, 2005 (ED05-138)			
LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION Terrestrial Habitat/Local Coastal Program	ASSESSOR PARCEL NUMBER 023-235-035	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: Setbacks, Height, Footprint and Gross Structural Area Limitations <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Local Coastal Program and Terrestrial Habitat <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing. The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

EXISTING USES: Single Family Residence	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Single Family <i>East:</i> Residential Single Family <i>South:</i> Residential Single Family <i>West:</i> Residential Single Family	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: The project was referred to: North Coast Advisory Council, Public Works, Cambria Community Services District, and the California Coastal Commission	
TOPOGRAPHY: Nearly level	VEGETATION: Grasses, forbs, Monterey pine trees, and ornamental landscaping
PROPOSED SERVICES: Water supply: CCSD Sewage Disposal: CCSD Fire Protection: Cambria Fire	ACCEPTANCE DATE: October 4, 2005

PLANNING AREA STANDARDS:

Lot Size: 5,560 square feet

Triple, Forested

Oversized lot adjustment: 1.06

Slope: approx 5 percent

Number of trees to be removed: 0

Base: 1,200 sq ft footprint, 2,400 sq ft GSA

PROJECT REVIEW	ALLOWABLE	EXISTING	PROPOSED	STATUS
FOOTPRINT (SQUARE FEET)	1,200 x 1.06 = 1,272	859	1,563	OK with 291 TDCs
GSA (SQUARE FEET)	2,400 x 1.06 = 2,544	859	1,833	OK
DECKS (SQUARE FEET)				
PERVIOUS	381	0	0	OK
IMPERVIOUS	127	0	36	OK
HEIGHT (FEET)	28	14	28	OK
SETBACKS (FEET)				
FRONT	15'	15'	15'	OK (Wilton Drive)
REAR	10'	10'	10'	OK (Newton Drive)
SIDE	5'	5'	5'	OK
STREET SIDE	10'	N/A	N/A	OK

LAND USE ORDINANCE STANDARDS:

The project site is located within the California Coastal Zone as determined by the California Coastal Act of 1976 and is subject to the provisions of the Local Coastal Plan.

COASTAL PLAN POLICIES: This project is in compliance with the Coastal Plan Policies, the most relevant policies are discussed below.

Public Works:

Policy 1: Availability of Service Capacity applies to the project. The proposed project is consistent with this policy because impact fees will be paid for the addition.

Coastal Watersheds:

Policy 7: Siting of new development: The proposed project is consistent with this policy because the residence is located on an existing lot of record in the Residential Single Family category on a site with slopes of less than 20 percent.

Policy 8: Timing of new construction: The proposed project is consistent with this policy because if grading is to occur or left unfinished between October 15 through April 15 the project is required to have an erosion and sedimentation control plan and all sedimentation and erosion control measures will be in place before the start of the rainy season.

Policy 10: Drainage Provisions: The proposed project is consistent with this policy because the project is required to have a drainage plan that shows the construction of the new residence will not increase erosion or runoff.

Hazards:

Policy 1: New Development: The proposed project is consistent with this policy because it is located and designed to minimize risks to human life and property.

Policy 2: Erosion and Geologic Stability: The proposed project is consistent with this policy because it is designed to ensure structural stability while not creating or contributing to erosion of geological instability.

Environmentally Sensitive Habitats:

Policy 1: Land Uses Within or Adjacent to Environmentally Sensitive Habitats: The proposed project is consistent with this policy because it will not significantly disrupt the habitat and tree removal and site disturbance have been minimized.

Policy 2: Permit Requirement: The proposed project is consistent with this policy because there will be no significant impact on sensitive habitats and proposed development will be consistent with the biological continuance of the habitat.

Policy 3: Habitat Restoration: No trees will be removed

Policy 27: Protection of Terrestrial Habitats: The proposed project is consistent with this policy because not allowing an addition to a single family residence or residential accessory uses (principally permitted uses in the Residential Single Family land use category) could potentially constitute a taking under the 5th Amendment of the US Constitution. Therefore, allowing a single family residence or residential accessory use to be developed on the property is considered to be a reasonable use of the land (pursuant to Section 30010 of the Coastal Act).

Policy 28: Protection of Native Vegetation: The proposed project is consistent with this policy because tree removal and site disturbance have been minimized.

Policy 33: Protection of Vegetation: The proposed project is consistent with this policy because tree removal and site disturbance have been minimized through project design.

Visual and Scenic Resources:

Policy 7: Preservation of Trees and Native Vegetation: The proposed project is consistent with this policy because tree removal and site disturbance have been minimized through project design.

Does the project meet applicable Coastal Plan Policies: Yes, as conditioned

COMMUNITY ADVISORY GROUP COMMENTS: No comment

AGENCY REVIEW:

Public Works - No concerns

Cambria Community Services District – Applicant still owes \$200 in impact fees

North Coast Advisory Council - No comment

LEGAL LOT STATUS:

The lot was legally created by a recorded map at a time when that was a legal method of creating lots. Cambria Pines Manor Unit 1 Block 12 Lots 35, 36, 42, and 43 are required to be merged prior to issuance of a construction permit.

Staff report prepared by Martha Neder and reviewed by Matt Janssen

EXHIBIT A - FINDINGS

CEQA Exemption

- A. The project qualifies for a Class 1 and 3 Categorical Exemption pursuant to CEQA Guidelines Section 15301 because the project is an addition to a single-family residence and the addition of a 320 square foot guesthouse.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the project does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the project is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on a road constructed to a level able to handle any additional traffic associated with the project.

Coastal Access

- G. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because the project is not adjacent to the coast and the project will not inhibit access to the coastal waters and recreation areas.

Terrestrial Habitat

- H. The project or use will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will preserve and protect such features through the site design, because tree removal has been minimized and if trees are removed or impacted they will be replaced.
- I. Natural features and topography have been considered in the design and siting of all proposed physical improvements, because the proposed structure has been designed to minimize tree removal and site disturbance.

- J. Any proposed clearing of topsoil, trees, or other features is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource, because tree removal and site disturbance have been minimized.
- K. The soil and subsoil conditions are suitable for any proposed excavation; site preparation and drainage improvements have been designed to prevent soil erosion and sedimentation of streams through undue surface runoff, because, as conditioned, the project or use meets drainage and erosion control standards specified by the County Public Works Department.
- L. There will be no significant negative impact to the identified sensitive habitat and the project or use will be required to replace removed oaks and pines on a four-to-one basis and two-to-one basis respectively.
- M. The project or use will not significantly disrupt the habitat, because it is an addition to a single-family residence with minimal site disturbance.

TDC's

- N. Adequate instruments have been executed to assure that lot(s) to be retired will remain in permanent open space and that no development will occur because the applicant will provide verification that the retired lot(s) have been transferred to the Land Conservancy of San Luis Obispo County.
- O. The "receiver" site can accommodate the proposed scale and intensity of development without the need for a variance (Section 23.01.045), exception to height limitations (Section 23.04.124b) or modification to parking standards (Section 23.04.162h), because, as conditioned, the project or use meets Coastal Zone Land Use Ordinance and Land Use Element requirements.
- P. The circumstances of the transfer are consistent with the purpose and intent of the applicable planning area programs and standards regarding transfer of development credits.

Public Works Policy 1

- Q. Adequate public service capacities are available to serve the proposed development because the applicant has paid impact fees for the one bathroom addition to the service provider for the area, the Cambria Community Services District.

EXHIBIT B - CONDITIONS OF APPROVAL

Authorized Use

1. This approval authorizes the construction of an addition to a single-family residence and a detached guesthouse with approximately 1,563 square feet of footprint, 1,833 square feet of gross structural area, and 291 square feet of TDCs.
2. All permits shall be consistent with the approved Floor Plans, and Elevations. The Site Plan shall be revised to show a 6 foot setback between the guesthouse and principal residence pursuant to CZLUO Section 23.04.114.

Conditions to be completed prior to issuance of a construction permit

Grading, Drainage, Sedimentation and Erosion Control

3. If grading is to occur between October 15 to April 15, a sedimentation and erosion control plan shall be submitted pursuant to Coastal Zone Land Use Ordinance Section 23.05.036.
4. The applicant shall submit a drainage plan for review and approval by the County Public Works Department.

Fire Safety

5. The applicant shall provide the county Department of Planning and Building with a fire safety plan approved by the Cambria Fire Department.
6. The applicant shall show on the construction plans that the existing garage is to be provided one hour protection consistent with the UBC.

Cambria Community Services District

7. The applicant shall apply for a remodel of existing service and pay impact fees to the CCSD.

Landscape Plan

8. The applicant shall submit for Planning Director review and approval, a Landscape Plan that provides for the planting of all open areas of the site disturbed by project construction with native, drought and fire resistant species that are compatible with the habitat values of the surrounding forest. In addition, non-native, invasive, and water intensive (e.g. turf grass) landscaping shall be prohibited on the entire site.

Transfer of Development Credits

9. The applicant shall provide written verification from the Land Conservancy of San Luis Obispo County that 291 square feet of Gross Structural Area has been transferred from a parcel within a special project area to the subject property.

Miscellaneous

10. The applicant shall pay all applicable school and public facilities fees.

Conditions applicable throughout project construction

Building Height

11. The maximum height of the project is 28 feet from average natural grade.
 - A. **Prior to any construction**, a licensed surveyor or registered civil engineer shall first file with the Building Official certification of compliance with the flood hazard elevation requirements, and shall then stake the lot corners, building corners, and establish average finished grade and set a reference point (benchmark).
 - B. **Prior to approval of the foundation inspection**, the benchmark shall be inspected by a building inspector prior to pouring footings or retaining walls, as an added precaution.
 - C. **Prior to approval of the roof-nailing inspection**, the applicant shall provide the building inspector with documentation that gives the height reference, the allowable height and the actual height of the structure. This certification shall be prepared by a licensed surveyor or civil engineer.

Grading, Drainage, Sedimentation and Erosion Control

12. All runoff from impervious surfaces such as roofs, driveways, walks, patios, decks, shall be collected and detained on-site, or passed on through an effective erosion control device or drainage system approved by the County Engineer.
13. Permanent erosion control devices shall be installed prior to or concurrently with on-site grading activities.
14. Grading, filling or site disturbance of existing soil and vegetation shall be limited to the minimum areas necessary.
15. Stockpiles and other disturbed soils shall be protected from rain and erosion by plastic sheets or other covering.
16. All areas disturbed by grading activities shall be revegetated with temporary or permanent erosion control devices in place.

Cambria Community Services District

17. Existing water fixtures shall be retrofitted to current standards under District Ordinance 3-88 as amended.
18. The owners shall provide the District with a copy of county building permit issued for this project.

Conditions to be completed prior to occupancy or final building inspection /establishment of the use

Fire Safety

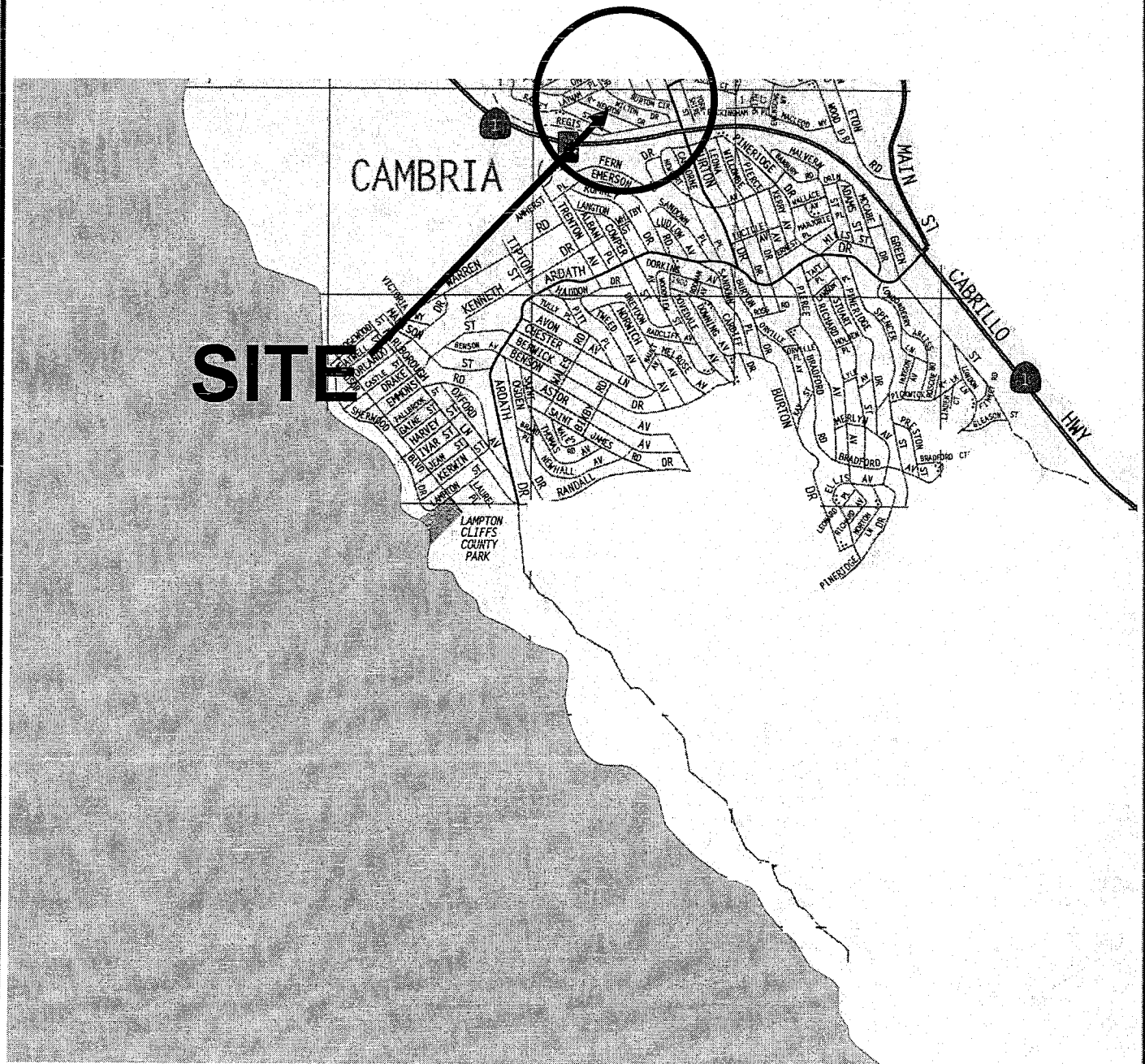
19. The applicant shall obtain final inspection and approval from Cambria Fire Department of all required fire/life safety measures.

Cambria Community Services District

20. Applicant shall submit for final plumbing inspection upon completion of the project.

Miscellaneous

21. The applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.
22. This permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050. This permit is generally considered to be vested once a building permit has been issued and substantial site work has been completed. Substantial site work is defined (Section 23.02.042) as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade ('sticks in the air').
23. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Coastal Zone Land Use Ordinance.



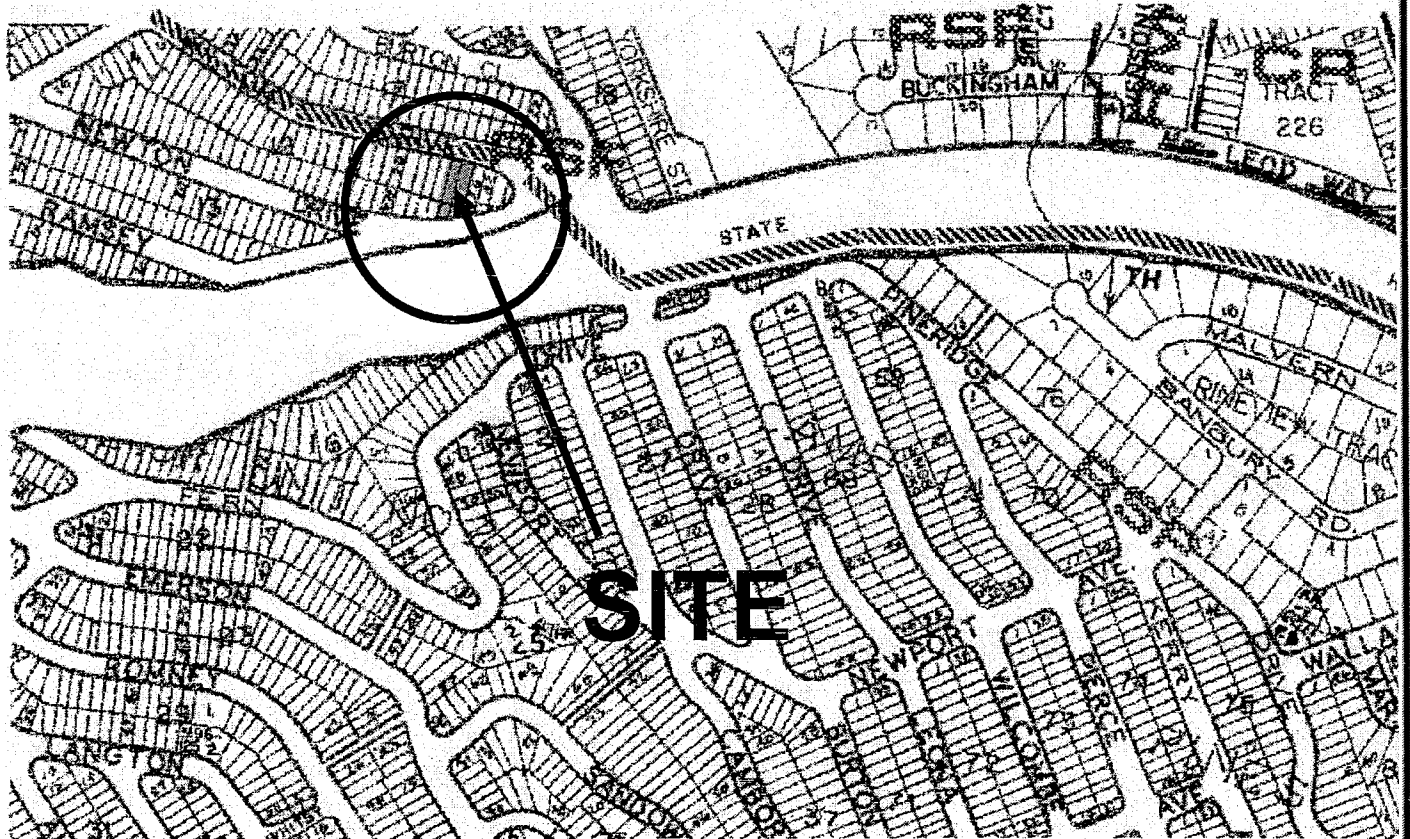
PROJECT

Minor Use Permit
Norton DRC2005-00050



EXHIBIT

Vicinity Map



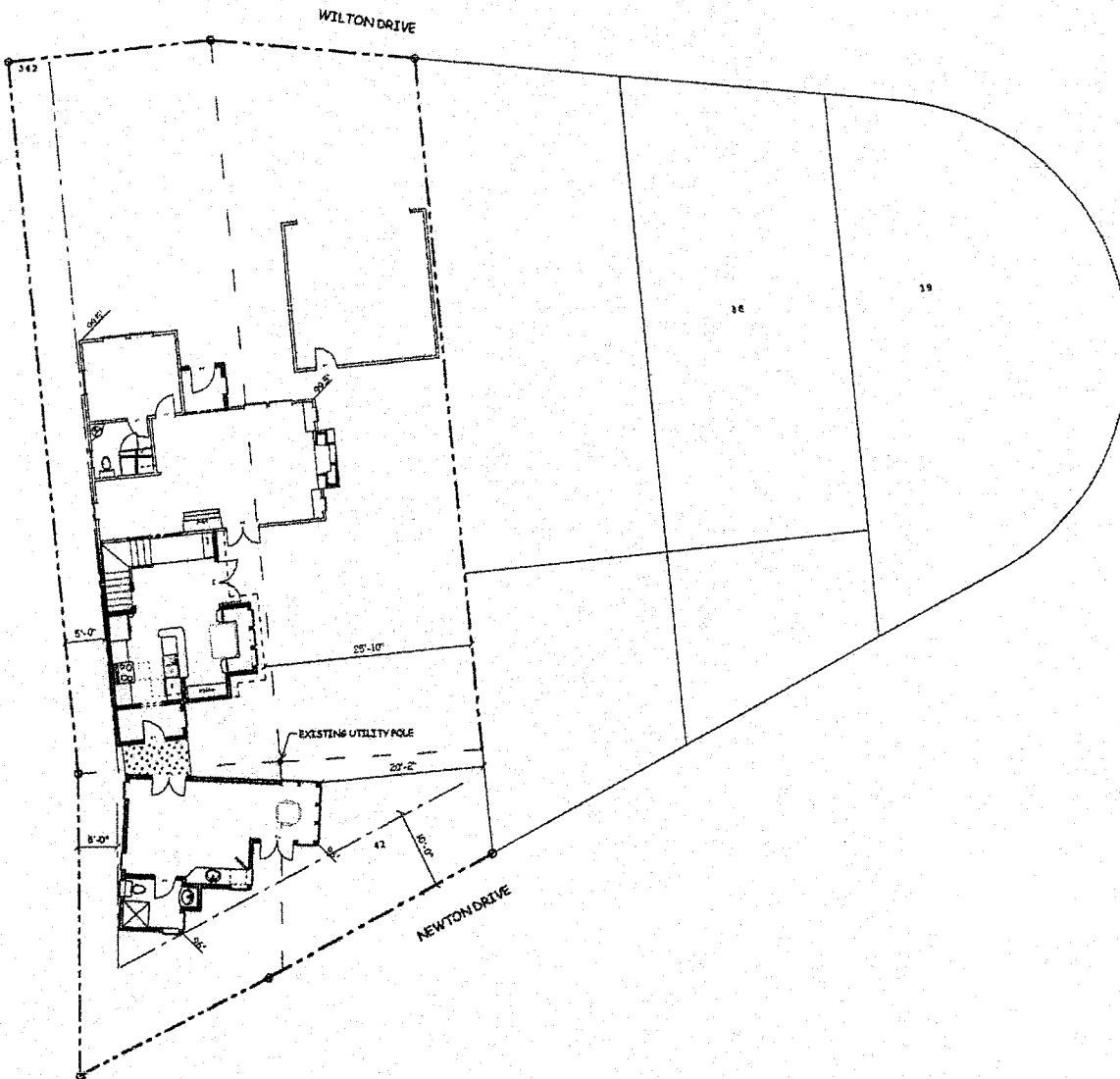
PROJECT

Minor Use Permit
Norton DRC2005-00050



EXHIBIT

Land Use Category Map



PROJECT

Minor Use Permit
Norton DRC2005-00050



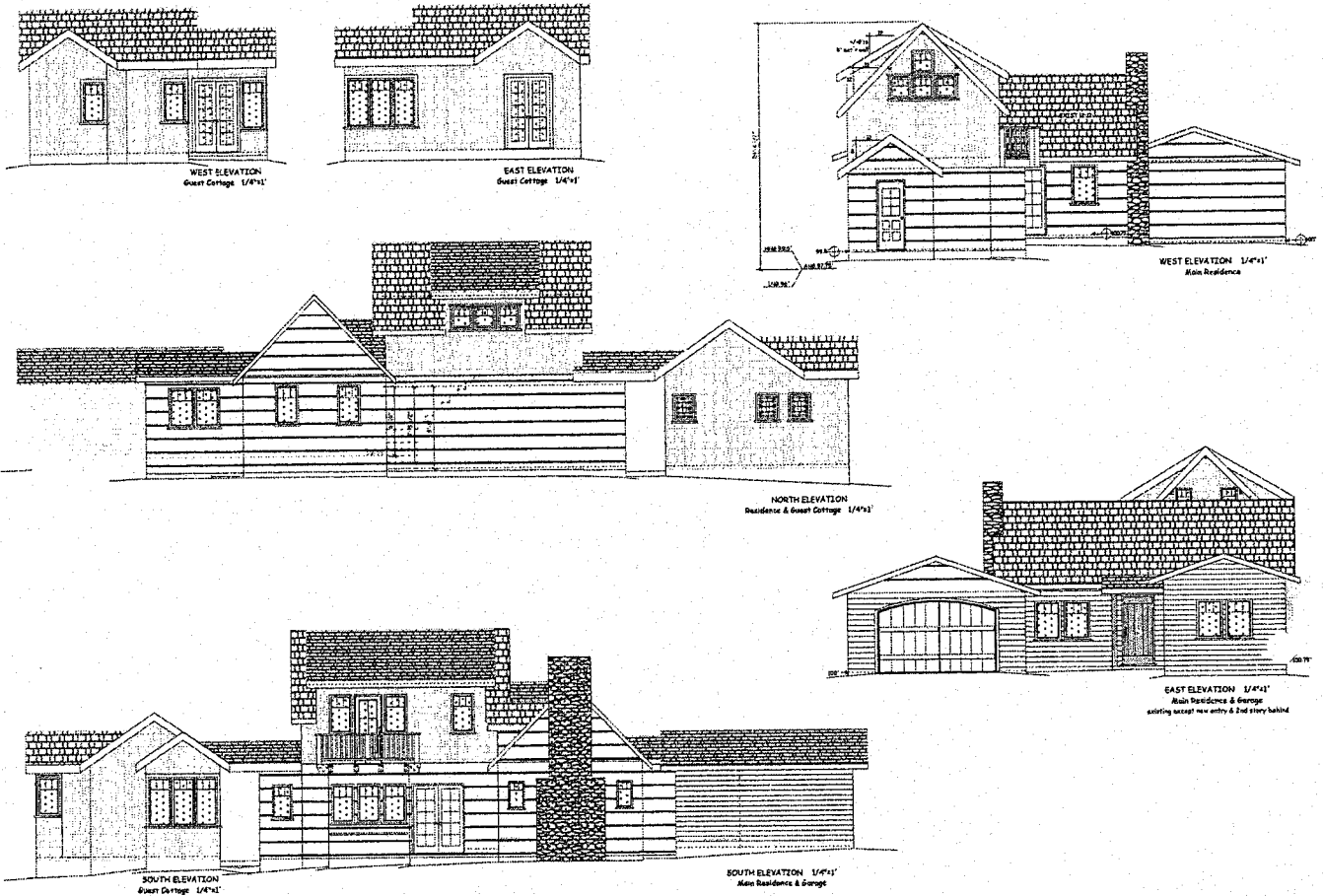
EXHIBIT

Site Plan

Minor Use Permit
Norton DRC2005-00050



Floor Plans



PROJECT

Minor Use Permit
Norton DRC2005-00050



EXHIBIT

Elevations



MLN
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 9/20/05
TO: Cambria CSD - Wds
FROM: ☐ - South County Team ☐ - North County Team ☒ - Coastal Team

PROJECT DESCRIPTION: File Number: PRC 2005 - 00650 Applicant: NORTON
Minor Use Permit, addition to existing SFR in
Cambria on 5,560 sq. Ft. lot. APN: 023-235-035

Return this letter with your comments attached no later than: 10/5/05

PART I - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

☒ YES
☐ NO

(Please go on to PART II.)
(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☐ YES

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

☒ NO

(Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL

Still owes \$200.00 for Remodel Impact Fee

Date 9/29/05

Name Core Ryan

Phone 927-6225

COUNTY GOVERNMENT CENTER

SAN LUIS OBISPO

CALIFORNIA 93408

(805) 781-5600

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